

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(e))

Docket No.

15124

In Re Application Of: **KOJI TOKUNAGA**

JUN 0 1 2004

Serial No.
09/994,960

Filing Date
November 27, 2001

Examiner
Scott Louis Weaver

Group Art Unit
2645

Title:

**PORTABLE PHONE HAVING RECORDING FUNCTION FOR RECORDING CALL-AUDIO WITH
USING THE MINIMUM CAPACITY OF MEMORY**

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Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

JUN 0 3 2004

Technology Center 2600

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☒ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
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Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013 SSMP**
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- ☐ Charge the amount of _____
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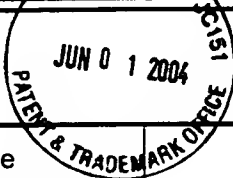
George Brieger
Registration No. 52,652
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530

CC:

**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

Docket No.
15124

In Re Application Of: KOJI TOKUNAGA



Serial No.
09/994,960

Filing Date
November 27, 2001

Examiner
Scott Louis Weaver

Group Art Unit
2645

Invention:

**PORTABLE PHONE HAVING RECORDING FUNCTION FOR RECORDING CALL-AUDIO WITH
USING THE MINIMUM CAPACITY OF MEMORY**

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TO THE COMMISSIONER FOR PATENTS:

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This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Signature

Dated: May 28, 2004

George Brieger
Registration No. 52,652
Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530

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George Brieger

Typed or Printed Name of Person Mailing Correspondence

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Koji Tokunaga

Examiner: Scott Louis Weaver

Serial No.: 09/994,960

Art Unit: 2645

Filed: November 27, 2001

Docket: 15124

For: PORTABLE PHONE HAVING
RECORDING FUNCTION FOR
RECORDING CALL-AUDIO WITH
USING THE MINIMUM CAPACITY OF
MEMORY

Date: May 28, 2004

Confirmation No.: 1702

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following reference, which is also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Japanese Unexamined Patent Application No. HEI 6-152800 dated May 31, 1994.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on May 28, 2004.

Dated: May 28, 2004


George Brieger

The above reference was cited in an Office Action dated April 30, 2004, received from the Japanese Patent Office. A copy of the Japanese Office Action together with an English translation of the Examiner's comments regarding the reference from the Official Action is enclosed. Applicant is also submitting a copy of the above cited reference.

Please note that Japanese Unexamined Patent Application HEI 2-168764 also cited, was previously submitted in an Information Disclosure Statement dated April 9, 2004. The relevance of both references is described in the Official Action.

In compliance with the requirements of 37 C.F.R. §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 37 C.F.R. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a translation of portions of an official action by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of that country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(e)(1), a statement is enclosed.

Respectfully submitted,



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GB:eg